IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 20703 of 2004

Between:

1 C.Vasu, S/o.Sivalinga Reddy,
R/o.Pichatur Village & Mandal, Chittoor District.
2 V.Vasu, S/o.Desambaram,
R/o.Pichatur Village & Mandal, Chittoor District.
3 Chinnapayyan, S/o.Chinnakannan,
R/o.Pichatur Village & Mandal, Chittoor District.
4 Prabhakar Raju, S/o.Subba Raju,
R/o.Pichatur Village & Mandal, Chittoor District.
5 Varada Raju, S/o.Subba Naidu,
/o.Pichatur Village & Mandal, Chittoor District.
6 T.Gunalan, S/o.Hussain Reddy,
R/o.Pichatur Village & Mandal, Chittoor District.
7 V.Bathan, S/o.Laxman Reddy,
R/o.Pichatur Village & Mandal, Chittoor District.
8 Duraivelu, S/o.M.Munuswamy,
R/o.Pichatur Village & Mandal, Chittoor District.
9 K.V.Cotton, S/o.Vadivel Reddy,
R/o.Pichatur Village & Mandal, Chittoor District.
10 T.R.Muthu, S/o.Rajgopal,
R/o.Pichatur Village & Mandal, Chittoor District.
11 T.Sampath, S/o.Armuga Reddy,
R/o.Pichatur Village & Mandal, Chittoor District.

..... PETITIONER(S)

AND

1 State of A.P. rep.by its Secretary, Panchayat Raj Department, Secretariat, Hyderabad.

2 Superintending Engineer, Panchayat Raj, Chittoor.
3 Executive Engineer, Panchayat Raj, Tirupati.
4 District Panchayat officer, Chittoor District, Chittoor.
5 Divisional Panchayat officer, Chandragiri, Chittoor Dist.
6 District Collector, Chittoor District, Chittoor.
7 Mandal Revenue officer, Pichatur Mandal, Pichatur, Chittoor Dist.
8 Sarpanch, Gram Panchayat, Pichatur, Pichatur Mandal, Chittoor Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the 8th respondent in proceeding with the construction, without proper sanction from the Authorities as per the Governmental orders issued, at the land in S.No.273/1A of Pichatur village, Chittoor District, as being illegal, arbitrary and violative of the provisions of A.P. Panchayat Raj Act and consequently direct the 4th and 8th respondents not to go ahead with the construction further and not to allot any shop or shops to any one and pass such other orders.

Counsel for the Petitioners:MR.G.RATNA SUDHAKAR

Counsel for the Respondent Nos. 1 to 8.: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made at the admission stage the following Oral Order: (per Sri Devinder Gupta, CJ)

We see no public interest involved in this petition filed questioning the action of the 8th respondent in raising some construction. Petitioners have not supported the petition on any documents. Petitioners have also mentioned in the petition that Civil Suits are pending. There is no reason why persons affected cannot seek the relief prayed for in this petition in such Suits.

The writ petition is accordingly dismissed.

_____

DEVINDER GUPTA, CJ

Date: 25th November, 2004

_____

M. NARAYANA REDDY,J

Pnb

To

1 The Secretary, Panchayat Raj Department, Secretariat, Hyderabad.
2 The Superintending Engineer, Panchayat Raj, Chittoor.
3 The Executive Engineer, Panchayat Raj, Tirupati.
4 The District Panchayat officer, Chittoor District, Chittoor.
5 The Divisional Panchayat officer, Chandragiri, Chittoor Dist.
6 The District Collector, Chittoor District, Chittoor.
7 The Mandal Revenue officer, Pichatur Mandal, Pichatur, Chittoor Dist.
8 The Sarpanch, Gram Panchayat, Pichatur, Pichatur Mandal, Chittoor

District.

9 Two C.Cs. to the Government Pleader for Panchayat Raj & Rural

Development, High Court Buildings, Hyderabad (OUT)

10 Two C.D. copies